

## SENATE BILL NO. 274

INTRODUCED BY B. KEENAN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN INSURANCE INSTITUTION, ~~INSURANCE~~  
~~PRODUCER~~, OR INSURANCE-SUPPORT ORGANIZATION TO DISCLOSE SPECIFIC UNDERWRITING  
INFORMATION TO CERTAIN ENTITIES THAT HAVE OBTAINED OR THAT ADMINISTER GROUP HEALTH  
PLANS PROVIDED BY THEM; ~~AND~~ PROVIDING THAT THE INFORMATION DISCLOSED MAY NOT  
INCLUDE ANY PERSONAL INFORMATION PERTAINING TO AN INDIVIDUAL COVERED BY AN ENTITY'S  
GROUP PLAN; AND PROVIDING THAT THE INFORMATION MAY BE REQUESTED ONCE PER YEAR."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Disclosure of underwriting information.** (1) An insurance institution,  
~~insurance producer~~, or insurance-support organization shall, within 30 days of receiving a written request  
from an entity listed in subsection (2) that it provides coverage for, disclose to that entity ~~any of the~~  
following information that the entity specifically requests ABOUT THE ENTITY'S COVERAGE:

- (a) total premiums collected from the entity for the policy year; AND
- (b) total losses paid out with respect to the entity for the policy year; 2
- ~~—— (c) the amount of reserves set with respect to the entity for the policy year;~~
- ~~—— (d) the administrative costs incurred with respect to the entity for the policy year;~~
- ~~—— (e) breakdowns of use by procedure with respect to the entity for the policy year;~~
- ~~—— (f) the amount paid to doctors and other health care providers with respect to the entity's~~  
~~members for the policy year; and~~
- ~~—— (g) the amount paid to hospitals with respect to the entity's members for the policy year.~~

(2) ~~The~~ ANY OF THE following entities may request information ABOUT THE ENTITY'S COVERAGE  
pursuant to this section:

- (a) an association having a group health insurance program for its members;
- (b) a group purchasing cooperative;
- (c) a group health plan that is a multiple employer welfare arrangement;
- (d) a self-insured group; and

(e) a business ~~WITH BETWEEN 2 AND 50 EMPLOYEES~~ that provides ~~SMALL~~ group health insurance for its employees THAT PROVIDES GROUP HEALTH INSURANCE FOR ITS EMPLOYEES, EXCEPT THAT A BUSINESS WITH BETWEEN 2 AND 50 EMPLOYEES IS NOT SUBJECT TO THE PROVISIONS OF THIS SECTION.

(3) Information disclosed pursuant to this section may not include any personal information pertaining to an individual covered by a group plan that has been obtained or administered by an entity listed in subsection (2).

~~(4) INFORMATION THAT IS OBTAINABLE PURSUANT TO THE PROVISIONS OF THIS SECTION MAY NOT BE REQUESTED MORE THAN ONCE DURING ANY CALENDAR YEAR.~~

~~(5) AN ASSOCIATION PROVIDED FOR IN SUBSECTION (2)(A) MUST BE PROVIDED WITH REASONABLE INFORMATION BY ITS INSURANCE INSTITUTION OR INSURANCE SUPPORT ORGANIZATION TO ENABLE THE ASSOCIATION TO RECEIVE A BID OR QUOTE FOR COVERAGE FROM OTHER INSURANCE ENTITIES.~~

~~(4) AN ASSOCIATION PROVIDED FOR IN SUBSECTION (2)(A) MUST BE PROVIDED ENOUGH INFORMATION BY ITS INSURANCE INSTITUTION OR INSURANCE SUPPORT ORGANIZATION TO ENABLE THE ASSOCIATION TO RECEIVE A BID OR QUOTE FOR COVERAGE FROM OTHER INSURANCE ENTITIES.~~

~~——— (5) AN INSURANCE INSTITUTION OR INSURANCE SUPPORT ORGANIZATION THAT PROVIDES COVERAGE FOR A BUSINESS PROVIDED FOR IN SUBSECTION (2)(C) MAY PROVIDE INFORMATION TO THAT BUSINESS BASED ON THE ENTIRE BLOCK OF SMALL GROUP HEALTH INSURANCE PROVIDED BY THE INSURANCE INSTITUTION OR INSURANCE SUPPORT ORGANIZATION.~~

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 33, chapter 19, part 3, and the provisions of Title 33, chapter 19, part 3, apply to [section 1].

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